

**From:** [Chip Humphrey](#)  
**To:** [James McKenna](#); [Wyatt, Robert](#)  
**Cc:** [Kristine Koch](#)  
**Subject:** Re: Alternatives Screening Stipulated penalties  
**Date:** 06/06/2011 10:44 AM

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Jim & Bob

This is to follow-up on one of the items that was discussed at a recent EPA/LWG Project Managers meeting. EPA's December 21, 2010 letter advised the LWG that it was not in compliance with the AOC for failure to present the alternatives screening analysis at the December 14, 2010 FS check-in meeting. EPA's February 25, 2011 letter notified the LWG that stipulated penalties were accruing on this deliverable, but EPA would use its enforcement discretion to waive the penalties if LWG provided the alternatives screening information by April 12, 2011.

The LWG provided information by April 12, 2011 in response to EPA's direction. EPA subsequently advised the LWG that the information provided for the April 12, 2011 check-in did not meet all of the agency's objectives for alternatives screening, but acknowledged that the LWG did provide a screening of technologies site-wide and for each AOPC. EPA determined that it was acceptable for the LWG to provide the additional information on the development and screening of alternatives for the FS at our upcoming FS Key Elements check-in meeting scheduled for June 21/22 2011. The LWG has agreed to this approach, and based on this understanding EPA does not intend to assess stipulated penalties for this deliverable.

Please let us know if you have any questions on this matter.

Chip Humphrey  
EPA